
**PLUMAS COUNTY
PLANNING COMMISSION**

Minutes of the Meeting of August 1, 2019

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, Chair (District 1)
Moorea Hoffman Stout, Commissioner (District 2)
Jeff Greening, Commissioner (District 3)
Larry Williams, Commissioner (District 4)
John Olofson, Vice-Chair (District 5)

I. CALL TO ORDER

Vice- Chair John Olofson calls the meeting to order at 10:00 am.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Jeff Greening, Larry Williams, John Olofson
Commissioners Absent: Dr. Robert Abbott, Moorea Hoffman Stout

Also in attendance (Supervisors and staff)

Tracey Ferguson, Planning Director
Rebecca Herrin, Assistant Planning Director
Tim Evans, Assistant Planner
Gretchen Stuhr, Deputy County Counsel III
Supervisor Sherrie Thrall
Jerry Sipe, Director of Environmental Health

IV. CONSENT ITEMS

A. Items to be continued or withdrawn from the agenda: None.

V. PLANNING COMMISSIONERS' REPORTS/COMMENTS:

There are no Planning Commissioners' reports or comments.

VI. PUBLIC COMMENT OPPORTUNITY

There are no public comments.

VII. DISCUSSION: ZONING FOR INDUSTRIAL HEMP: Discussion and direction to staff to amend the code to clarify the definition of Horticulture, as amended by Ordinance No. 19-1119 (Article 2 Section 9-2.249) does not include Industrial Hemp. Discussion and possible action (Tracey Ferguson, AICP, Planning Director).

Planning Director Tracey Ferguson, AICP, makes the presentation. Ordinance No. 19-1119 amended the definition of "Horticulture" as follows:

"Horticulture' shall mean producing crops for commercial purposes. 'Horticulture' shall not include cannabis cultivation as set forth in Sec. 9-2.220.2 of this section."

Ferguson also reads the definition of Agriculture as established by Ordinance No. 19-1119:

“Agriculture’ is defined as the planting, raising, harvesting and production of agricultural, horticultural, aquaculture and forestry crops; the breeding, raising, husbandry of, pasturing, grazing and small scale slaughter and processing of livestock; the breeding, raising, harvesting and production of bees, fish, poultry and other fowl; and the associated support services and value added services, such as agritourism, necessary for the economic viability of agriculture.

“Agriculture’ shall include horticulture, commercial animal husbandry, large animal husbandry, and small animal husbandry.

“Agriculture’ shall not include cannabis cultivation as set forth in Sec. 9-2.220.2 of this section.”

The Board of Supervisors, in December of 2018, directed the Planning Commission to review zoning for industrial hemp. Plumas County Code Section 9-2.251.5 contains the definition of Industrial Hemp:

“Industrial hemp’ shall have the same meaning as that set forth in Section 11018.5 of the Health and Safety Code.”

Senate Bill 153 further defines industrial hemp as an agricultural product. Ferguson references the zoning/use matrix and the zoning categories that permit Agriculture and Horticulture. As industrial hemp is considered an agricultural crop or product, it would be permitted under “Agriculture” in the Agricultural Preserve (AP), General Agriculture (GA), General Forest (GF), Timberland Production Zone (TPZ) and Mining (M) zones. “Horticulture” would be permitted in the Recreation Open Space (Rec-OS), Suburban (S-1), Secondary Suburban (S-3), Rural (R-10 and R-20) zones. Ferguson explains that staff’s recommendation would be to allow industrial hemp cultivation in agriculture zones, but not in the residential zones.

Commissioner Jeff Greening agrees that horticulture is not the appropriate category for industrial hemp. Commissioner Larry Williams concurs that agriculture is the category in which industrial hemp should be included. Supervisor Sherrie Thrall agrees with limiting industrial hemp to those zones that permit agriculture.

Christi Goodman, of the Plumas Growers Association, explains that the research component (industrial hemp can only be grown under supervision of a research institution) would indicate industrial or commercial areas. She warns against limiting the areas where industrial hemp operations are permitted and restricting operations to agricultural areas. Goodman feels that this issue needs a wider discussion.

M/S/C: Greening/Williams/3-0 to exclude industrial hemp as a use permitted under “Horticulture”.

VIII. DISCUSSION: AMENDMENT OF AGRICULTURE ZONES TO ALLOW “AGRICULTURAL PROCESSING”: Discussion and direction to staff to amend the code to allow “Agricultural Processing” as a use in the Agricultural Preserve (Article 20 of Chapter 2) and General Agriculture (Article 31 of Chapter 2) zones subject to site development review

or the issuance of a special use permit. Discussion and possible action (Tracey Ferguson, AICP, Planning Director).

Planning Director Ferguson opens the discussion. Under current code, "processing" as a use is permitted in the Heavy Industrial (I-1) and Light Industrial (I-2) zones, subject to site development review and in Periphery Commercial (C-2) zone, subject to the issuance of a special use permit. She reads the definition of "Processing":

"Processing' shall mean the preparation of or subjection of resources to a special treatment or systematic series of actions."

Commissioner Williams requests more information about the process that is being discussed. Ferguson responds that the discussion involves the possibility of other options in other zoning categories. Possibly, to expand processing to the Agricultural Preserve (AP) and the General Agriculture (GA) zones.

The General Plan definition of agriculture, as well as Policy AG/FOR 8.3.2 provides a basis for this amendment:

8.3.2 Uses that Support Agriculture and Timber Resources

Allow compatible uses that support agriculture and timber, such as but not limited to agricultural commercial uses, agricultural industrial uses, direct product sales, processing, farm-based tourism, overnight hut system back-country ski touring and snowshoeing, destination hunting, fishing, and wildlife viewing, agricultural research and farm worker housing on agricultural land, subject to appropriate design review and development standards.

Therefore, the policy supports processing in agricultural areas.

The previous zoning definition of "agriculture" included processing, but the updated code definition does not. It was taken from the General Plan definition and cannot be changed without amendment of the General Plan. However, that does not preclude adding processing as a permitted use.

Ferguson explains that a site development review could be required to review potential effects on the environment. A special use permit could be required as a discretionary permit that would trigger full environmental review. There may be public safety concerns and compatibility issues. Environmental Health may have issues or concerns with material disposal and hazardous waste issues.

Christi Goodman states that she wants to see the ordinance be in the form that Jerry Sipe (Director of Environmental Health) recommends. She endorses hemp legalization in all its forms. She feels that manufacturing and processing are very different.

Jerry Sipe, Director of Environmental Health, states that the proposal to expand processing with provisions for a development review process would be supported by his department as an expansion into AP and GA zones.

Supervisor Thrall wants the definitions (processing and manufacturing) to be clarified.

Planning Director Ferguson proposes that a definition of "agricultural processing" could be added to the code. Commissioner Williams suggests that the issue be sent back to staff to

develop a definition of "agricultural processing". Commissioner Greening wants a definition of agricultural manufacturing as well.

Deputy County Counsel Gretchen Stuhr advises that there be a motion for direction to staff to prepare the language and schedule a workshop.

M/S/C: Greening/Williams/3-0 to direct staff to prepare language, as suggested, for a workshop to be held at the next meeting.

IX. WORKSHOP/DISCUSSION: DRAFT ACCESSORY DWELLING UNIT ORDINANCE: The proposed draft ordinance would amend the Single-Family Residential (2-R, 3-R, and 7-R) and Multiple-Family Residential (M-R) zones to allow Accessory Dwelling Units as a use permitted by right and to impose standards for the development of Accessory Dwelling Units (Rebecca Herrin, Assistant Planning Director).

Assistant Planning Director Herrin presents the draft ordinance and explains the amendments and additions to the code.

M/S/C: Greening/Williams/3-0 to direct staff to schedule a public hearing for the Draft Accessory Dwelling Ordinance as presented.

X. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES

A. Planning Commission Rules of Conduct (Agenda Submittal Policy)

Planning Director Ferguson presents copies of the Rules of Conduct (Resolution No. P.C. 10-002) and the Plumas County Planning Commission Policy for Agenda Preparation and Submittal.

The procedure is to submit an item in writing to the Chair (in this case, Vice-Chair) and to cc the Planning Director. Vice-Chair Olofson inquires if the request may also be made by phone. He feels that a phone call, email or in-person contact would be acceptable. The request must be made by noon on the Thursday the week before the Planning Commission meeting.

B. 2019-2024 Housing Element and SB 2 Planning Grants Program Application status

Planning Director Ferguson explains that the Housing Element draft was submitted to Housing and Community Development (HCD) on July 19, 2019 for a shortened thirty-day review. She will be in contact with HCD during that review period. The Housing Element is posted on the County website and copies were sent to various agencies for review and comment.

The Planning Commission's special meeting (Housing Element Public Hearing) is scheduled for August 29, 2019 and the Board of Supervisors Public Hearing for October 1, 2019. Ferguson explains that public comment can be received at any time up until the approval.

A CEQA Addendum will be prepared as per Section 15164 as there are no changes to policies or additional impacts since the 2009 Document.

Commissioner Williams has made comments on the draft and Ferguson encourages the Commissioners to bring forward changes so that they can be incorporated into the Draft through September. The SB 2 grant application is on track to be submitted at the end of August; the deadline is November 30th.

XI. CORRESPONDENCE:

None.

XII. FUTURE AGENDA ITEMS

Vice-Chair Olofson has several items for the future agendas:

- Clean up the resolution language (10-002).
- Determination of quorum before the meeting.
- Number of Commission members.
- Discussion/Review of General Plan as per the "Introduction"

Planning Director Ferguson suggests a broad look at the General Plan and Implementation measures for a future discussion. The next meeting, August 15th, will include a workshop on agricultural processing and agricultural manufacturing.

XIII. ADJOURNMENT:

M/S/C: Williams/Greening/3-0 to adjourn the meeting. The meeting is adjourned at 11:55 am. The next regularly scheduled meeting of the Commission will be held on August 15, 2019.



John Olofson, Vice-Chair
Plumas County Planning Commission



Rebecca Herrin, Assistant Planning Director